City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	**Lakemont Christian Childcare**
Proposal Address:	5130 164th Avenue SE
Proposal Description:	Land Use review of a Critical Areas Land Use Permit to convert an area of existing parking lot (comprising 9 stalls) at Calvary Chapel to an outdoor play area. The proposed playground is within the buffer of a Category III wetland. Mitigation planting is proposed in the buffer. The removal 9 parking stalls is a minor modification to the original Design Review approval for Calvary Chapel and will be reviewed as a Land Use Exemption (LUX) as part of this proposal.
File Number:	**17-114190-LO**
Applicant:	George Newman, Barghausen Engineers
Decisions Included:	Critical Areas Land Use Permit (LUC 20.30P) Land Use Exemption (LUC 20.30F)
Planner:	Mark C. Brennan
Director's Decision:	**Approval with Conditions** Michael A. Brennan, Director Development Services Department By: _____ Elizabeth Stead, Land Use Director

Application Date:	May 26, 2017
Notice of Application Publication:	June 29,2017
Decision Publication Date:	November 16, 2017
Appeal Deadline:	November 30, 2017

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

CONTENTS

Attachments:

A. Site Plan
B. Final Wetland Mitigation Plan
C. Critical Areas Report (see file)

I. PROPOSAL DESCRIPTION

The proposal is to convert an area of existing parking lot (comprising 9 stalls) at Calvary Chapel to an outdoor play area. The proposed project is associated with the conversion of existing classrooms in the church facility to a child daycare.

The proposed play area will impact approximately 2,881 square feet (sf) within the wetland buffer (shown in green cross hatching in Figure 1 below). No changes are proposed for the remainder of the existing parking lot and this area can be maintained as it exists within the buffer. However, the proposed change of parking stalls to a play area is a change of use and modification of a critical area buffer and therefore requires a Critical Areas Land Use Permit with a Critical Areas Report to allow the proposed improvements. Chapter XII of Land Use Code 20.25H allows a critical areas report process to modify a buffer where the buffer is shown to be degraded, and where the proposal with mitigation results in a net improvement to the functions and values of the buffer. The proposal includes approximately 4,171 (sf) of buffer enhancement (shown in blue cross hatching in Figure 1 below).

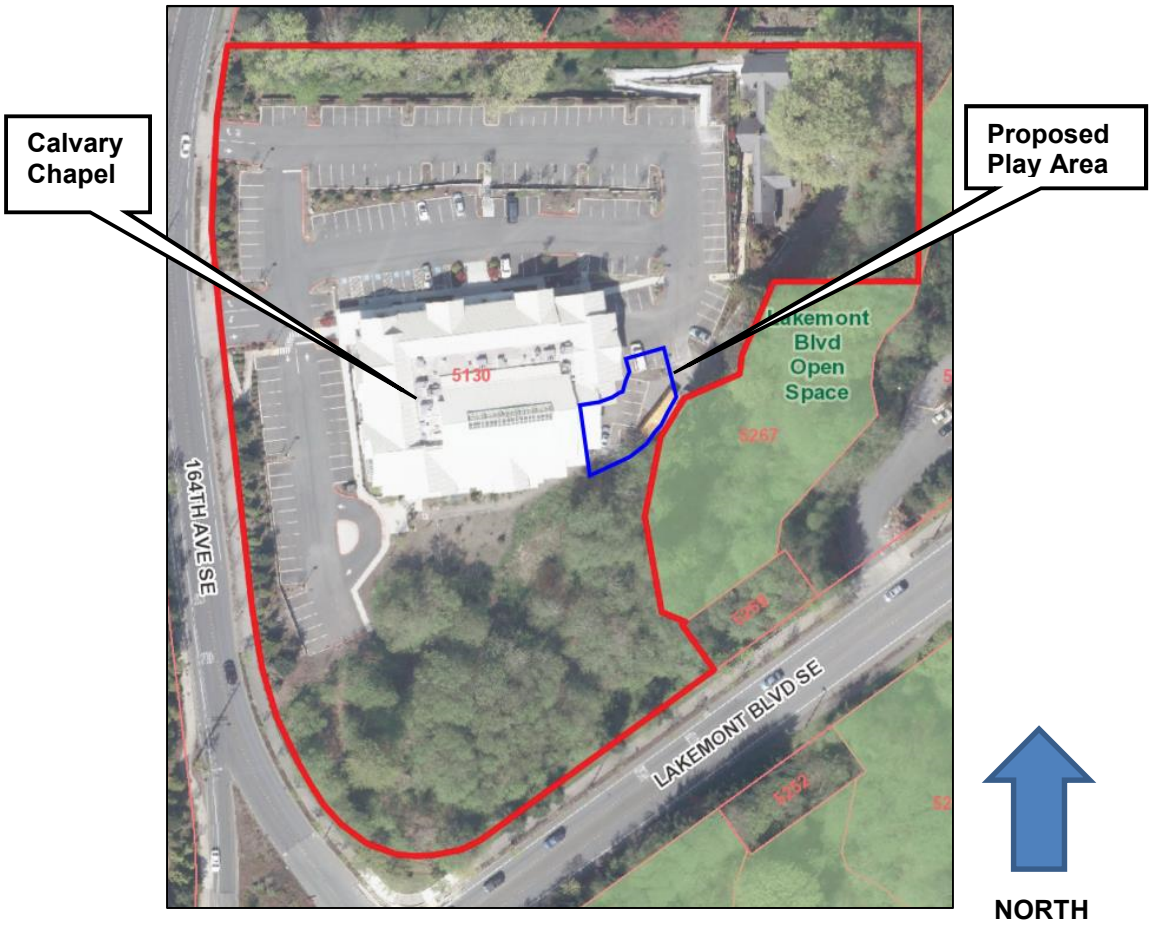


Figure 1 - - Site Plan

II. SITE DESCRIPTION, ZONING, LAND USE CONTEXT & CRITICAL AREAS

A. Site Description

The subject site is currently developed and is comprised of the existing Calvary Chapel facility, associated parking area and areas of non-mature forest and shrub area. The forest shrub layer adjacent to the proposed play area is disturbed and largely covered with invasive species. The project area is adjacent to a Category III wetland (Wetland A) which is located on the southern portion of the property, adjacent to Lakemont Boulevard SE. The topography of the site generally conveys drainage flows to the south and east of the developed site toward the wetland and an undeveloped forested public open space tract which contains Lewis Creek, which is a Type-F stream that flows to the northeast, eventually reaching Lake Sammamish.

Figure 2 - - Site Conditions

B. Zoning

The subject site is within the Office (O) Land Use District, and is also located within a Transition Area Design District, as it abuts single-family residential districts (R-3.5, R-5 and R-7.5) to its north and west (see Figure 3 below). The proposed playground conforms to the zoning

dimensional requirements. A child daycare is an allowed use in the Office zone. Calvary Chapel was originally approved through Design Review (LD) permit number 98-003376-LD.

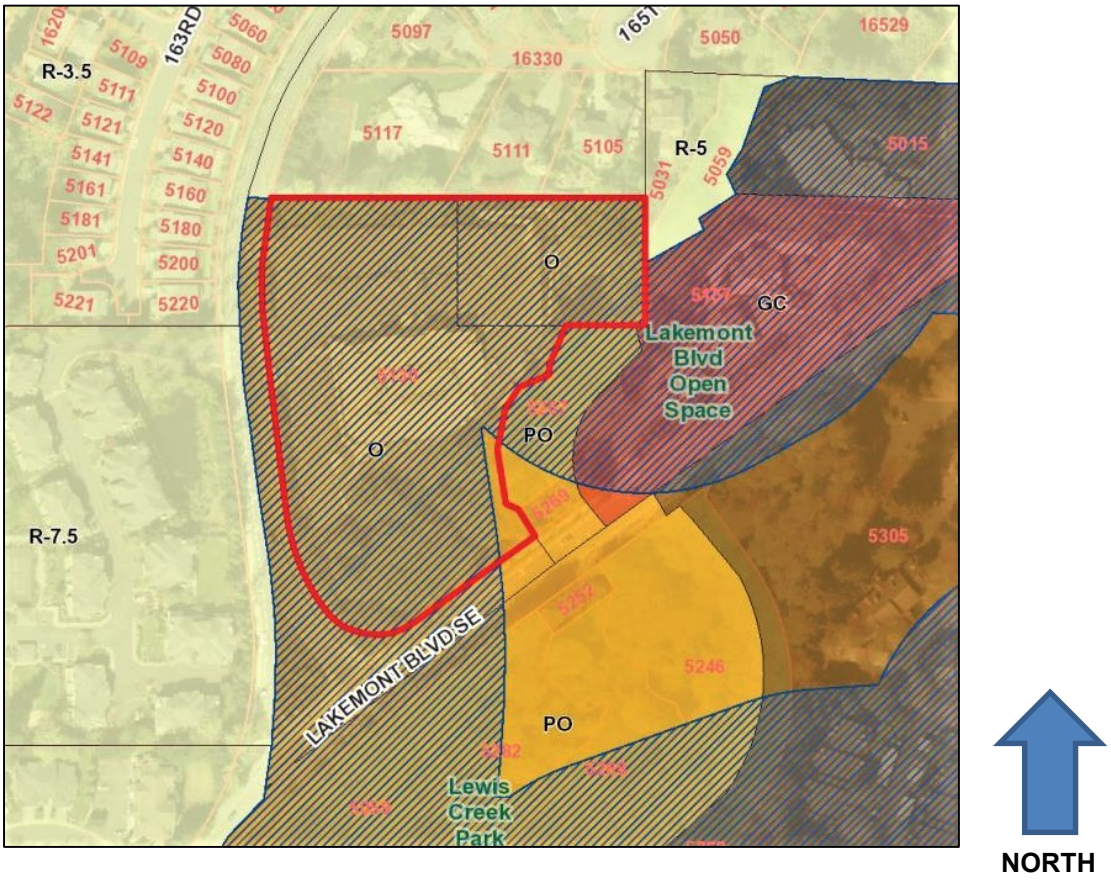


Figure 3 - - Site Zoning Map

C. Land Use Context

The Calvary Chapel property has a Comprehensive Plan Land Use designation of O, Office. The proposed play area is being added in preparation for a child daycare facility that will be developed within the existing Calvary Chapel building and will be permitted through a Tenant Improvement – New Use (BY) Permit under file #17-126049-BY. The proposed play area and daycare facility will not change or alter the land use character of the site.

D. Critical Areas Function and Value, Regulations

i. Wetlands and Riparian Areas

Upland and wetland riparian areas retain sediments, nutrients, pesticides, pathogens, and other pollutants that may be present in runoff, protecting water quality in streams (Ecology, 2001; City of Portland 2001). The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Stream riparian areas, or buffers, can be a significant factor in determining the quality of

wildlife habitat. For example, buffers comprised of native vegetation with multi- canopy structure, snags, and down logs provide habitat for the greatest range of wildlife species (McMillan, 2000). Vegetated riparian areas also provide a source of large woody debris that helps create and maintain diverse in-stream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In cases where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or revegetated (May 2003). Until the newly planted buffer is established the near-term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream baseflows. Surface water that flows into riparian areas as direct precipitation infiltrates into groundwater in riparian areas and is stored for later discharge to the stream (Ecology, 2001; City of Portland, 2001).

ii. Wetlands

Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These "functions and values" to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue's wetlands provide various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well (Novitski et al., 1995). However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

iii. Habitat

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005, Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain

biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS:

A. Zoning District Dimensional Requirements LUC 20.20.010:

The proposed improvements are consistent with the dimensional requirements in LUC 20.20.010. Per LUC 20.20.170 Child Daycare Centers are allowed provided they provide on-site vehicle turnaround and loading area. The proposed location has parking and drive aisles separate from the road that allow for circulation, vehicle queuing, and loading.

B. Critical Areas Requirements LUC 20.25H:

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes standards and procedures that apply to construction of improvements on any site which contains in whole or in part any portion designated as critical area or critical area buffer. The proposed play area is a new improvement that modifies a wetland buffer. The proposal is subject to the following code requirements.

i. Consistency with LUC 20.25H.100

Development on sites with, wetlands or associated critical area buffer shall incorporate the following performance standards in design of the development, as applicable

1. **Lights shall be directed away from the wetland buffer.**
   Any new lights associated with the installation of the play area will be located over 40 feet from wetland A and will not be directed toward the critical area. **Refer to Condition of Approval regarding Lighting in Section X of this report.**

2. **Activity that generates noise such as parking lots, generators, and residential uses, shall be located away from the wetland, or any noise shall be minimized through use of design and insulation techniques.**
   After completion of the proposed project, parking areas and associated noise on the subject property will be reduced and relocated further from Wetland A than the current configuration. Temporary noise impacts will occur during project construction due to the use of construction equipment and vehicles and is regulated by BCC 9.18. **Refer to Condition of Approval regarding Noise Control in Section X of this report.**

3. **Toxic runoff from new impervious area shall be routed away from the wetland.**
   There will be no new impervious surfaces added with the proposed play areal.

4. **Treated water may be allowed to enter the wetland critical area buffer.**
   A stormwater detention facility currently exists on-site. No new impervious areas are proposed.

5. **The outer edge of the wetland critical area buffer shall be planted with dense**

vegetation to limit pet or human use.
The overall condition and function of the on-site buffer will be improved by the proposed project. The outer edge of Wetland A's buffer will be planted with a diversity of native vegetation. See **Attachment B - Final Wetland Mitigation Plan.** **Refer to Condition of Approval regarding Mitigation Plan Section X of this report.**

6. **Use of pesticides, insecticides and fertilizers within 150 feet of the edge of critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices", now or as hereafter amended. (Ord. 5680, 6-26-06, & 3)**
No pesticide or fertilizer use is expected. If a proposal for the use of such is drafted during the monitoring phase of the project, prior approval from the City will be required. **Refer to Condition of Approval regarding Pesticides, Insecticides and Fertilizers in Section X of this report.**

ii. **Consistency with 20.25H.110 Critical areas report – Additional provisions.**

1. **Limitation on Modification.**
A critical areas report may not be used to fill a wetland critical area, except where filling is required to allow a use set forth in LUC 20.25H.055.
No wetland critical area will be filled as part of the proposed project.

2. **Additional Content.**
In addition to the general requirements of LUC 20.25H.230, a critical area report for wetlands shall include a written assessment and accompanying maps of the wetlands and buffers within 300 feet of the project area, including the following information at a minimum:

   a. **A discussion of measures, including avoidance, minimization and mitigation, proposed to preserve existing wetlands and restore any wetlands that were degraded prior to the current proposed land use activity.**
   The proposed play area will be constructed on existing impervious surface (parking area). As located the play area will avoid impacting Wetland A's buffer, and any intrusions into the buffer are expected to be minimal. As proposed the play area will preserve the existing buffer, and through planting 4,171 square feet of native vegetation degraded wetland buffer area will be restored. See **Attachment B - Final Wetland Mitigation Plan.** **Refer to Condition of Approval regarding Mitigation Plan Section X of this report.**

   b. **A habitat and native vegetation conservation strategy that addresses methods to protect and enhance on-site habitat and wetland functions.**
   Playground placement will occur entirely within previously developed areas. As such, no native vegetation is impacted by the proposed project.

   c. **Functional evaluation for the wetland and adjacent buffer using a local or state agency staff-recognized method and including the reference of the method and all data sheets. (Ord. 5680, 6-26-06, & 3).**

Wetland A and its associated buffer were rated based on functional capabilities using the Washington Department of Ecology's Washington State Wetland Rating System for Western Washington (Hruby 2014).

iii. Consistency with LUC 20.25H.230

Generally, the critical areas report must demonstrate that the proposal with the requested modifications leads to equivalent or better protection of critical area functions and values than would result from the application of the standard requirements. Where the proposal involves restoration of degraded conditions in exchange for a reduction in regulated critical area buffer on a site, the critical areas report must demonstrate a net increase in certain critical area functions.

The proposal is to replace existing parking area with an outdoor play area. The project will impact 2,881 square feet of existing impervious surface (parking area) within the existing buffer for Wetland A. The buffer has been degraded due to development (the parking lot) and the expected function and values of the buffer is not currently provided. The applicant proposes planting 4,171 square feet of native vegetation within the wetland buffer as mitigation to improve the function and value, which is expected to provide the necessary net increase of critical area and buffer functions. A planting plan has been prepared that shows the plants proposed or the mitigation area. This area is currently comprised of invasive vegetation that will be completely removed and new native vegetation planted. As demonstrated in the submitted report and as conditioned as part of this approval, the project meets the purpose and intent of the critical areas report. See **Attachment B for Final Wetland Mitigation Plan. Refer to Condition of Approval regarding Mitigation Plan Section X of this report.**

IV. PUBLIC NOTICE AND COMMENT

Application Date:	May 26, 2017
Public Notice (500 feet):	June 29, 2017
Minimum Comment Period:	July 13, 2017

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin and the Seattle Times on June 29, 2017. Notice was also mailed to property owners within 500 feet of the project site. No comments were received.

V. SUMMARY OF TECHNICAL REVIEWS:

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The proposal is exempt from SEPA per WAC 197-11-800(1).

VII. CHANGES TO THE PROPOSAL DUE TO STAFF REVIEW:

Staff requested more information about alternative placement options for the play area to avoid the wetland buffer. Based on the location of the proposed daycare facility in the building and ease of access to an outdoor play area the proposed location in existing parking area was determined to be the option with the least impact on the wetland buffer.

VIII. DECISION CRITERIA:

A. 20.25H.255.B Critical Areas Report Decision Criteria
The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates:

1. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area or critical area buffer functions;

The submitted critical areas report identifies that the wetland buffer is in a degraded condition due to the presence of the existing paved parking lot and invasive plants that have encumbered native plant species. These factors have resulted in diminished and limited buffer functions and values.

Along with the construction of the play area on existing impervious surface the applicant proposes to enhance 4,171 square feet of the wetland buffer by planting native vegetation. The site will have a net improvement in water quality, habitat potential and native plant diversity and structural complexity. The wetland buffer will receive functional lift as the existing invasive Himalayan blackberry will be replaced by a variety of native wetland species. **Refer to Condition of Approval regarding Mitigation Plan Section X of this report.**

2. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in the most important critical area or critical area buffer functions to the ecosystem in which they exist;

The applicant has demonstrated in the submitted critical areas report (See Attachment *) that the most important functions and values of Wetland A are represented by the ecosystem's water quality and wildlife habitat benefits. The proposed removal of invasive species and replacement with a diversity of native plants will provide functional uplift and thereby improve the attenuation of floodflow, biofiltration function, and the quality of wildlife habitat provided. As stated previously, the planting plan is required to be revised as part of the clearing and grading permit to includes trees, shrubs and ground cover to ensure sufficient plant diversity is provided. **See Attachment B for Final Wetland Mitigation Plan. Refer to Condition of Approval regarding Mitigation Plan Section X of this report.**

3. **The proposal includes a net gain in stormwater quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer;**

   The existing buffer condition has diminished stormwater quality function because of its degraded condition and lack of native vegetation. With the installation of the mitigation planting plan, the proposal will increase the site's ability to filter stormwater before it enters the wetland stream complex on the site. As noted above, the planting plan will enhance the functions provided within the wetland buffer. See Attachment B for Planting Plan.

4. **Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;**

   Mitigation planting is required and the plan can be found in **Attachment B - Final Wetland Mitigation Plan.** The planting shall be maintained and monitored for a period of at least five years per the plan in the critical areas report. Temporary irrigation or provision for watering is required to be specified on the final mitigation plan. Installation and maintenance sureties will be required based on a submitted cost estimate prior to building permit issuance. The surety will be released after five years, assuming restoration has been successful. **Refer to Conditions of Approval regarding Maintenance & Monitoring and Cost Estimate, Installation and Maintenance Sureties in Section X of this report.**

5. **The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and**

   As discussed in Section III of the subject report, the modifications and proposed mitigation in this proposal are not detrimental to the functions and values of the wetland buffer critical area. The proposed planting will increase the buffer and wetland functions and values more than the existing degraded (non-native invasive) vegetation, comprised largely of Himalayan blackberry.

6. **The resulting development is compatible with other uses and development in the same land use district.**

   Child daycare centers and associated outdoor play areas are permitted uses in Office (O) Land Use Districts and are compatible with religious facilities.

B. 20.30F.175 Land Use Exemption Criteria

The proposed reduction of 9 existing parking stalls for the construction of the play area is a modification to the parking count approved through the original Design Review for Calvary Church Eastside under project number 98-003376-LD.

The Director may determine that an addition or modification to a previously approved project or decision is exempt from further review or review as a new application, provided the following criteria are met:

1. **The proposal does not result in any significant adverse impact beyond the site; and**
   The proposed play area as submitted will not result in any significant impact beyond the site.

2. **The proposal is within the general scope of the purpose and intent of the original approval; and**
   The proposed play area and child daycare center it will support fall within the purpose and intent of the original approval of the Calvary Chapel Eastside Design Review approval.

3. **The proposal complies with applicable Land Use Code requirements and all applicable development standards, and is compatible with all applicable design criteria; and**
   The proposed play area complies with applicable Land Use Code requirements and all applicable development standards, and is compatible with all applicable design criteria.

   However, the proposed play area will reduce the available parking on the site by 9 spaces. As originally approved through Design Review, a minimum of 238 parking stalls were required (1 parking stall/2 seats) to support the proposed 476 seat worship area. 244 stalls were proposed to be provided according to the site plan submitted under the original Clearing and Grading Permit (05-130555-GD). The loss of 9 parking stalls as proposed with the construction of the play area will reduce the total parking on site to 235 spaces, or 3 spaces below what was originally required. The Traffic and Parking Management Plan as conditioned in the original Design Review approval for the Calvary Chapel Eastside project appears to be working effectively. However, if Land Use receives any complaint due to the parking of vehicles on neighborhood streets for Calvary Chapel services or other events, the applicant will be required to submit a new Traffic and Parking Analysis. **Refer to Condition of Approval regarding Traffic and Parking Management Plan in Section X of this report.**

4. **The proposal does not add square footage that is more than 20 percent of existing gross square footage; and**
   The proposed play area will add no square footage to the existing church building.

5. **If an addition or expansion has been approved within the preceding 24-month period, the combined additions will not add square footage that exceeds 20 percent of existing gross square footage.**
   There has not been an addition or expansion to the existing Calvary Chapel Eastside building in the preceding 24-monthn period.

C. 20.30P.140 Critical Area Land Use Permit Decision Criteria – Decision Criteria

The Director may approve, or approve with modifications an application for a Critical Area Land Use Permit if:

1. **The proposal obtains all other permits required by the Land Use Code;**
   The applicant must obtain a clearing and grading permit and any other construction permits for the project. The clearing and grading permit must reference this approval. **Refer to Condition of Approval regarding Clearing and Grading and/or Building Permit Required in Section X of this report.**

2. **The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;**
   The project utilizes the best available construction techniques to have the least impact on critical areas and buffers as possible. The proposal locates the play area within existing parking area rather than disturbing additional wetland or stream buffers containing existing vegetation. Construction impacts will be limited to this already degraded area and no additional impervious surface will be added to the site.

3. **The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and;**
   As discussed in Section III of this report performance standards will be met.

4. **The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;**
   The proposed activity will not impact public facilities and services.

5. **The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and**
   A mitigation (Planting) plan is provided in **Attachment B**. Maintenance and monitoring is proposed in the critical areas report as well and is required for five years. **Refer to Conditions of Approval regarding Mitigation Plan, Maintenance & Monitoring, Cost Estimate, Installation and Maintenance Sureties in Section X of this report.**

6. **The proposal complies with other applicable requirements of this code.**
   As discussed in this report, the proposal complies with all other applicable requirements of the Land Use Code.

IX. CONCLUSION AND DECISION:

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code, SEPA, and Standard compliance reviews, the Director of Development Services Department does hereby **Approve with Conditions** the proposed conversion of parking lot area to establish a play area. A **Clearing and Grading permit and/or Building permit is required and all plans are subject to review for compliance with applicable City of Bellevue Codes and Standards.**

Note- Expiration of Approval of Critical Areas Land Use Permit: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a clearing and grading permit or other necessary development permits within one year of the effective date of the approval.

X. CONDITIONS OF APPROVAL:

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code – BCC 23.76	Janney Gwo, 425-452-6190
Land Use Code – BCC Title 20	Mark C. Brennan, 425-452-2973
Noise Control – BCC 9.18	Mark C. Brennan, 425-452-4350

The following conditions are imposed under the Bellevue City Code authority referenced:

1. **Clearing and Grading Permit and/or Building Permit Required:** A construction permit is required to carry out the proposed improvement. Clearing and grading may be included as part of a building permit as well. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval.

   Authority: Land Use Code 20.30P.140
   Reviewer: Mark C. Brennan, Land Use

2. **Lighting: Construction permits shall show any proposed lighting.** New lights shall be directed away from the wetland buffer area and shielded to confine light to the subject site.

   Authority: Land Use Code 20.25H.100
   Reviewer: Mark C. Brennan, Land Use

3. **Maintenance and Monitoring:** The Maintenance and Monitoring plan and performance standards in the critical areas report, which is **Attachment A** is required to be included with the project plans submitted under a construction permit. Monitoring is required for five years. A copy of the annual monitoring report is required to be provided to the Environmental Planning Manager for the Land Use Department.

   Authority: Land Use Code 20.30P.140; 20.25H.220
   Reviewer: Mark C. Brennan, Land Use

4. **Cost Estimate, Installation, and Maintenance Sureties:** A cost estimate for the cost of plant installation, including labor and materials is required to be submitted with the clearing and grading permit. An installation surety is required at 150 percent of the cost to install the plants and a maintenance surety is required at 100 percent of the cost to maintain and monitor the vegetation for five years. The installation surety is required prior to construction permit issuance. The maintenance surety is required prior to release of the installation surety. These sureties will be released upon confirmation that the plants are installed and upon completion of the five-year monitoring period.

Authority: Land Use Code 20.25H.220; 20 30P.140
Reviewer: Mark C. Brennan, Land Use

5. **Pesticides, Insecticides, and Fertilizers:** The applicant must submit as part of the required construction permit information that shows conformance to the use of pesticides, insecticides, and fertilizers found in the City of Bellevue's "Environmental Best Management Practices".

   Authority: Land Use Code 20.25H.100
   Reviewer: Mark C. Brennan, Land Use

6. **Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.
   Authority: Bellevue City Code 9.18
   Reviewer: Mark C. Brennan, Land Use

7. **Traffic and Parking Management Plan:** The Traffic and Parking Management Plan as conditioned in the original Design Review approval for the Calvary Chapel Eastside project appears to be working effectively. To date the City has received no Enforcement Actions (EA Permits) regarding parking practices at the property. If a new complaint regarding parking at the property is received after approval of the Critical Areas Permit, the applicant may be required to submit a revised Traffic and Parking Analysis from that which was submitted under the original Design Review approval.

   Authority: Calvary Chapel Eastside Design Review Approval (File No. 98-003376-LD) and LUC 20.20.590
   Reviewer: Mark C. Brennan, Land Use

8. **Mitigation Plan:** The submitted plan is approved conceptually. A final mitigation plan is required as part of the clearing and grading permit. The plan shall specify plant species, size, spacing, and quantities and show the plants on the plan or show planting areas. If trees are not incorporated sufficient reasoning is required to be provided for not installing trees within a wetland buffer that is proposed to be completely removed of invasive vegetation and restored. Temporary irrigation or other provision for watering is required and shall be shown on the plan.

   Authority: Land Use Code 20.30P.140; 20.25H.220
   Reviewer: Mark C. Brennan, Development Services Department

ATTACHMENT A

LEGAL DESCRIPTION

"LOT 1" BELLEVUE BOUNDARY LINE ADJUSTMENT NO 07-131128 LW RECORDING NO 20071203000011 WHICH IS THAT PORTION OF NORTHEAST 1/4 OF NORTHEAST 1/4 & SOUTHEAST 1/4 OF NORTHEAST 1/4

VICINITY MAP
NOT TO SCALE

MERRICK LENTZ ARCHITECT
ARCHITECTURE · PLANNING
1000 156th Place NE · Suite 100 · Bellevue, WA 98007
(425) 641-2177 · (425) 641-2199 · www.merrick.com

stamp

REGISTERED ARCHITECT MERRICK LENTZ STATE OF WASHINGTON

consultant

project name

CALVARY CHAPEL EASTSIDE

5130 164th AVE. SE
BELLEVUE, WA

permit set

drawing title

SITE PLAN "A"
SITE NOTES

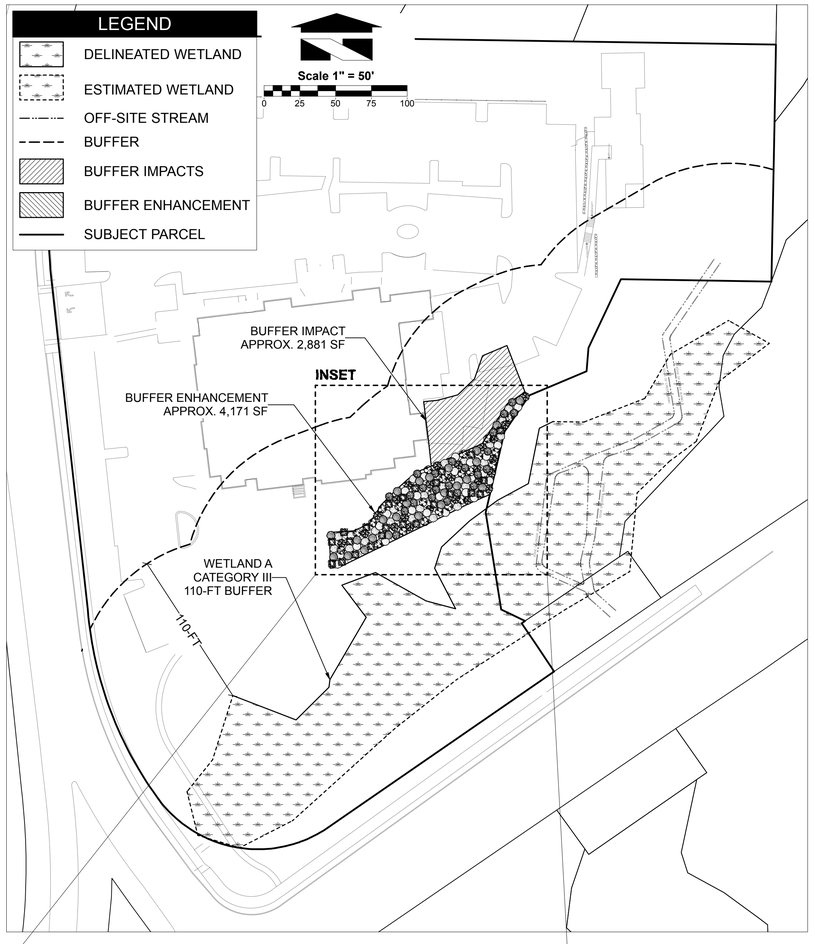
drawn by CSC
checked by MSL

4/15/13 PERMIT SET
issued date description

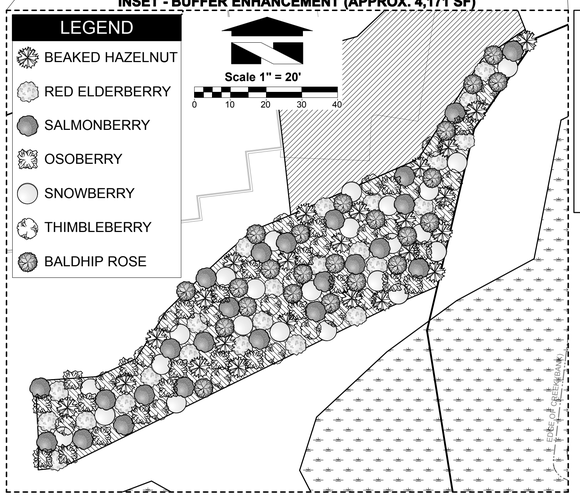
A1.1

ATTACHMENT B

PROJECT OVERVIEW

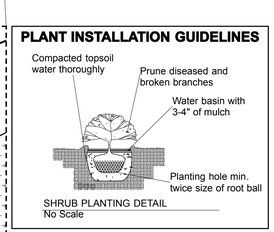


INSET - BUFFER ENHANCEMENT (APPROX. 4,171 SF)



NOTE: THIS PLANTING PLAN IS INTENDED TO GIVE A GENERAL IDEA OF HOW PLANTS WILL BE ARRANGED IN THE PLANTING AREAS. ACTUAL PLANT LOCATIONS WILL BE DETERMINED ON SITE AT THE TIME OF INSTALLATION AND MAY DEVIATE FROM THE ARRANGEMENT SHOWN.

PLANT INSTALLATION GUIDELINES



SHRUB PLANTING DETAIL
No Scale

PROJECT DESCRIPTION

Calvary Chapel Eastside is proposing the construction of a children's playground area with protective fencing along its boarder for child safety and security. The location of this play area would be directly adjacent to the church facility near its southeastern corner, and extending into the paved parking and gravel storage area. Approximately 2,881 square feet of buffer impacts are proposed to the portion of the buffer that is currently a paved parking lot and gravel storage area. No vegetated buffer impacts are proposed. Additionally, as compensatory mitigation for regulatory buffer impacts, the applicant is proposing 4,171 square feet of buffer enhancement located between the proposed playground and the wetland edge.

SITE DESCRIPTION

Wetland Resources, Inc (WRI) completed a site investigation on September 9th, 2016 to locate and identify jurisdictional wetlands and streams on and in the vicinity of the subject property located 5130 164th Ave SE in Bellevue, Washington, for future development activities, as required by the City of Bellevue's Land Use Code (LUC, Critical Areas Overlay District) Part 20.25H. The tax identification number for the subject site is 2324059004. The 4.51-acre subject property is further located as a portion of Section 27, Township 25N, Range 05E, W.M. The subject site is irregularly shaped, and located just north of the intersection of Lakemont Blvd SE and 164th Ave SE. Surrounding land use is a mix of forested open space, community parks, as well as multi and single-family residential development. Topography consists of a gentle undulating slope with an easterly aspect. Given the topography of the site, general flow patterns would be to the east toward the property boundary, which borders an undeveloped forested parcel in which a tributary to Lewis Creek flows.

One wetland (Wetland A) was identified on-site and is located along the southern property boundary just north of Lakemont Blvd SE. Wetland A is a large slope wetland complex that continues off-site to the east. Pursuant to City of Bellevue's Land Use Code (LUC, Critical Areas Overlay District) Part 20.25H, and conversations with City Staff, the on-site wetland was classified according to the 2014 Washington State Department of Ecology (DOE) Wetland Rating System (Hruby 2014). Wetland A is classified as a Category III wetland with a habitat score of 5. No off-site wetlands were observed within 300-ft of the subject property. Stream A, a tributary to Lewis Creek, lies just off-site to the southeast. Stream A and its associated NGPE boundary was previously established and recorded prior to the development of the subject property. Wetland and stream buffer widths in Bellevue are dependent upon the wetland or stream classification, in addition to the degree of development on the property. In regards to wetland buffer widths, a "Undeveloped Site" is defined as, *any site where the wetland and wetland buffer have not previously been included within a Native Growth Protection Area (NGPA) or Native Growth Protection Easement (NGPE), regardless of whether the site contains a primary structure* (LUC 20.25H.095). This property is considered "Undeveloped" under this definition. In the City of Bellevue, Category III Wetlands with high habitat scores (greater than 20) on undeveloped properties receive a standard buffer with of 110-feet.

MITIGATION PLANTING PLAN

The proposed plan requires that the regulated buffer associated with Wetland A be impacted to accommodate the proposed playground. The associated impacts total 2,881 square feet.

Buffer Enhancement

As compensatory mitigation, the applicant is providing 4,171 square feet of buffer enhancement.

Buffer Enhancement Plantings

Common Name	Latin Name	Size	Spacing	Quantity
Beaked Hazelnut	*Corylus cornuta*	1 gal.	5'	24
Red elderberry	*Sambucus racemosa*	1 gal.	5'	24
Salmonberry	*Rubus spectabilis*	1 gal.	5'	24
Osoberry	*Oemleria cerasiformis*	1 gal.	5'	24
Snowberry	*Symphoricarpos albus*	1 gal.	5'	24
Thimbleberry	*Rubus parviflorus*	1 gal.	5'	23
Baldhip rose	*Rosa gymnocarpa*	1 gal.	5'	23
			Total:	**166**

Any disturbed soil in the buffer areas shall be seeded to the recommended grass seed mixtures below, or similar approved mixtures. Fertilizer shall only be used if absolutely necessary due to potential runoff into adjacent waters. If deemed absolutely necessary by the consulting biologist and/or the City biologist an appropriate fertilizer will be recommended for the particular situation.

Buffer Seed Mix

Common Name	Latin Name	lbs/1,000 s.f.
Tall fescue	*Festuca arundinacea*	0.4
Colonial bentgrass	*Agrostis tenuis*	0.4
Annual ryegrass	*Lolium multiflorum*	0.5
White clover	*Trifolium repens*	0.2

This mitigation plan is consistent with the revised version of the Washington State Dept. of Ecology (WSDOE) *Guidelines for Developing Freshwater Wetlands Mitigation Plans and Proposals*, titled *Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans.* The proposed enhancement plan is expected to provide equivalent or greater biological functions.

PROJECT MONITORING PROGRAM

Requirements for monitoring project

1. Initial compliance/as-built report
2. Bi-annual site inspection (twice per year, spring and fall) for five years
3. Annual reports including final report (one report submitted in the fall of each monitored year)

Purpose for Monitoring

The purpose for monitoring this mitigation project shall be to evaluate its success. Success will be determined if monitoring shows at the end of five years that the definitions of success stated below are being met. The property owner shall grant access to the mitigation area for inspection and maintenance to the contracted landscape and/or wetland specialist and the City of Bellevue during the period of the bond or until the project is evaluated as successful.

Monitoring

Monitoring shall be conducted for five years in accordance with the approved Mitigation Plan. The monitoring period will begin once the City receives written notification confirming the mitigation plan has been implemented and City staff inspects the site and issues approval of the installation.

Vegetation Monitoring

Representative photopoints shall be selected, and permanently marked in the field with rebar, PVC, or other marking device. Photos must be taken from the original locations during each monitoring year to establish a record of plant growth throughout the monitoring period. The exact location of permanent photopoints must be depicted in the as-built report (attached map), and Year 0 photographs shall be included in the as-built letter to document baseline conditions.

Vegetation sampling shall be conducted as a qualitative assessment, for the purpose of establishing approximate invasive cover and approximate areal coverage. Total invasive cover will be determined as follows: the contracted biologist will walk the entirety of the mitigation planting area and record approximate invasive species coverage. Total observed invasive species cover divided by the total area of the mitigation site yields approximate invasive cover. The findings will be presented in the annual report.

PROJECT MONITORING PROGRAM CONTINUED

Total areal coverage will be determined as follows: the contracted biologist will walk the entirety of the mitigation planting area and record approximate areal coverage. Total areal coverage divided by the total area of the mitigation site yields approximate areal coverage. The findings will be presented in the annual report.

Each monitoring report will establish an approximate percent coverage of invasive species and areal coverage, which will serve as the basis for maintenance recommendations (invasive species removal and re-planting). Maintenance shall occur following any monitoring report documenting an increase in invasive species cover, even if cover is reported below ten percent.

Monitoring Reports

Report Contents

Monitoring shall occur in the fall of each monitoring year. Reports shall be submitted by November 30 of each year during the monitoring period. As applicable, monitoring reports must include descriptions / data for:

1. Site plan and vicinity map (for playground facility)
2. Description of project, including date of installation, current year of monitoring, restatement of mitigation / restoration goals, and performance standards
3. Plant survival and areal coverage (qualitative assessment)
4. Assessment of nuisance / exotic biota and recommendations for management
5. Receipts for any structural repair or replacement
6. Color photographs taken from permanent photo-points that shall be depicted on the monitoring report map.

Project Success And Compliance Criteria for Success

Upon completion of the proposed mitigation project, an inspection by a qualified biologist will be made to document mitigation instillation. A compliance letter (as-built) will be supplied to the City of Bellevue for review, within 30 days after the completion of planting. City review and acceptance of successful mitigation installation is required prior to commencement of the 5-year monitoring period.

A landscape professional or wetland biologist will perform condition monitoring of the plantings annually in the fall. A written report describing the monitoring results will be submitted to the City of Bellevue after each site inspection of each monitored year. Final inspection will occur five years after completion of this project. The contracted consultant will prepare a final report describing success or failure of the project.

City of Bellevue Contact

Certain actions within the wetland and buffer mitigation areas may require inspection or approval by City of Bellevue staff. Requests for inspection/approval shall be coordinated with the City.

Definition of Success

The mitigation project goal will be deemed successful when objectives are met, as evidenced through the observation of set performance standards.

Objectives

Objective 1: To establish a diverse, native plant community in the wetland buffer that will persist and create an appropriate vegetative matrix.

Objective 2: To have significant native vegetative cover throughout the enhanced area.

Objective 3: To remove existing invasive species and limit the establishment and spread of those species in the buffer.

Performance standards

Year 1 Monitoring

Performance Standard: 100 percent survival of planted species
No greater than 20 percent coverage of invasive species

Year 3 Monitoring

Performance Standard: 80 percent survival of planted species
No greater than 20 percent coverage of invasive species
New growth shall be observable and documented

Year 5 Monitoring

Performance Standard: 80 percent survival of planted species
No greater than 10 percent coverage of invasive species
New growth shall be observable and documented

Maintenance

This mitigation project will require periodic maintenance to replace mortality of the planted trees and shrubs. Maintenance is also necessary to control invasive, non-native plant species and competing grasses. The planting areas will be maintained in the spring of each year for the five-year monitoring period. Maintenance will include hand removal of competing grasses and non-native vegetation from a 2-foot diameter ring surrounding a given plant. Removal of invasive species shall be done by hand to decrease the likelihood of damage occurring to the plantings. All blackberry, reed canarygrass, and other aggressive invasive species sprouting anywhere within the mitigation site shall be removed during each maintenance period. Herbicide use is prohibited.

When necessary, mulch shall be replaced around each plant. Each plant shall receive a 2-foot diameter ring of mulch to a height of 3 to 4 inches above the existing soil surface. A 4-inch diameter ring around the base of each plant shall be kept free of mulch. Wood chips or composted mulch is acceptable.

Following each monitoring site visit, recommendations will be made for the replacement of plant mortality and other general maintenance. All maintenance recommendations related to invasive cover shall be addressed within 45 days of the date written on the annual report requiring action, and the City shall be supplied with a letter documenting how these recommendations were addressed. If necessary, re-planting shall occur in the fall, and a brief memo will be drafted and submitted to the City of Bellevue indicating that re-planting has successfully occurred.

Contingency Plan

If, during any of the inspections, more than 20 percent of the plants are severely stressed, or it appears more than 20 percent may not survive, additional plantings of the same species or, if necessary, alternative species may be added to the planting area. If this situation persists into the next inspection, a meeting with a representative for the City of Bellevue, the consulting wetland biologist and the property owner will be scheduled to decide upon contingency plans. Elements of the contingency plan may include, but will not be limited to more aggressive weed control, plant mortality replacement, species substitution, fertilization, and/or soil amendments.

PROJECT NOTES

Pre-Construction Meeting

Mitigation projects are typically more complex to install than is described in plans. Careful monitoring by a wetland biologist for all portions of this project is strongly recommended. Construction timing and sequencing is important to the success of this type of project. There shall be a pre-construction meeting on the project site between the Permittee, the consulting wetland biologist, equipment operator(s), and a City of Bellevue representative. The objective will be to verify the location of proposed planting.

Inspections

A wetland biologist shall be contracted to periodically inspect the mitigation installation described in this plan. Minor adjustments to the original design may be necessary prior to and during construction due to unusual or hidden site conditions. A City of Bellevue representative and/or the consulting biologist will make these decisions during construction.

Planting Notes

Plant in the early spring or late fall and obtain all plants from a reputable nursery. Care and handling of all plant materials is extremely important to the overall success of the project. The origin of all plant materials specified in this plan shall be native plants, nursery grown in the Puget Sound region of Washington. Some limited species substitution may be allowed, only with the agreement of the landscape designer, wetland biologist, and/or City of Bellevue staff.

PROJECT NOTES CONTINUED

Handling

Plants shall be handled so as to avoid all damage, including breaking, bruising, root damage, sunburn, drying, freezing or other injury. Plants must be covered during transport. Plants shall not be bound with wire or rope in a manner that could damage branches. Protect plant roots with shade and wet soil in the time period between delivery and installation. Do not lift container stock by trunks, stems, or tops. Do not remove from containers until ready to plant. Water all plants as necessary to keep moisture levels appropriate to the species horticultural requirements. Plants shall not be allowed to dry out. All plants shall be watered thoroughly immediately upon installation. Soak all containerized plants thoroughly prior to installation.

Storage

Plants stored by the Permittee for longer than one month prior to planting shall be planted in nursery rows, and treated in a manner suitable to that species horticultural requirement. Plants must be re-inspected by the wetland biologist and/or landscape designer prior to installation.

Damaged plants

Damaged, dried out, or otherwise mishandled plants will be rejected at installation inspection. All rejected plants shall be immediately removed from the site.

Plant Names

Plant names shall comply with those generally accepted in the native plant nursery trade. Any question regarding plant species or variety shall be referred to the landscape designer, wetland biologist, or City of Bellevue staff. All plant materials shall be true to species and variety and legibly tagged.

Quality and condition

Plants shall be normal in pattern of growth, healthy, well-branched, vigorous, with well-developed root systems, and free of pests and diseases. Damaged, diseased, pest-infested, scraped, bruised, dried out, burned, broken, or defective plants will be rejected. Plants with pruning wounds over 1" in diameter will be rejected.

Roots

All plants shall be balled and burlapped or containerized, unless explicitly authorized by the landscape designer and/or wetland biologist. Rootbound plants or B&B plants with damaged, cracked, or loose rootballs (major damage) will be rejected. Immediately before installation, plants with minor root damage (some broken and / or twisted roots) must be root-pruned. Matted or circling roots of containerized plantings must be pruned or straightened and the sides of the root ball must be roughened from top to bottom to a depth of approximately half an inch in two to four places. Bare root plantings of woody material are allowed only with permission from the landscape designer, wetland biologist and/or City of Bellevue staff.

Sizes

Plant sizes shall be the size indicated in the plant schedule in approved plans. Larger stock may be acceptable provided that it has not been cut back to the size specified, and that the root ball is proportionate to the size of the plant. Smaller stock may be acceptable, and preferable under some circumstances, based on site-specific conditions. Measurements, caliper, branching, and balling and burlapping shall conform to the American Standard of Nursery Stock by the American Association of Nurserymen (latest edition).

Form

Evergreen trees shall have single trunks and symmetrical, well-developed form. Deciduous trees shall be single trunked unless specified as multi-stem in the plant schedule. Shrubs shall have multiple stems and be well-branched.

Timing of Planting

Unless otherwise approved by City of Bellevue staff, all planting shall occur between November 1 and March 1. Overall, the earlier plants go into the ground during the dormant period, the more time they have to adapt to the site and extend their root systems before the water demands of spring and summer.

Weeding

Existing and exotic vegetation in the mitigation areas will be hand weeded from around all newly installed plants at the time of installation and on a routine basis throughout the monitoring period. No chemical control of vegetation on any portion of the site is allowed without the written permission of the City of Bellevue staff.

Site conditions

The contractor shall immediately notify the landscape designer and/or wetland biologist of drainage or soil conditions likely to be detrimental to the growth or survival of plants. Planting operations shall not be conducted under the following conditions: freezing weather, when the ground is frozen, excessively wet weather, excessively windy weather, or in excessive heat.

Planting Pits

Planting pits shall be circular or square with vertical sides, and shall be 6" deeper and 12" larger in diameter than the root ball of the plant. Break up the sides of the pit in compacted soils. Set plants upright in pits. Burlap shall be removed from the planting pit. Backfill shall be worked back into holes such that air pockets are removed without adversely compacting down soils.

Fertilizer

Slow release fertilizer may be used if pre-approved by the City of Bellevue. Fertilizers shall be applied only at the base of plantings underneath the required covering of mulch (that does not make contact with stems of the plants). No soil amendment or fertilizers will be placed in planting holes.

Water

Plants shall be watered midway through backfilling, and again upon completion of backfilling. For spring plantings (if approved), a rim of earth shall be mounded around the base of the tree or shrub no closer than the drip line, or no less than 30" in diameter, except on steep slopes or in hollows. Plants shall be watered a second time within 24-48 hours after installation. The earthen rim / dam should be leveled prior to the second growing season.

Staking

Most shrubs and many trees DO NOT require any staking. If the plant can stand alone without staking in a moderate wind, do not use a stake. If the plant needs support, then strapping or webbing should be used as low as possible on the trunk to loosely brace the tree with two stakes. Do not brace the tree tightly or too high on the trunk. If the tree is unable to sway, it will further lose the ability to support itself. Do not use wire in a rubber hose for strapping as it exerts too much pressure on the bark. As soon as supporting the plant becomes unnecessary, remove the stakes. All stakes must be removed within two (2) years of installation.

Plant Location

Three foot by 2-inch by 1/4-inch lath stakes or suitable flagging material shall be placed next to or on each planting to assist in locating the plants while removing the competing non-native vegetation and to assist in locating the plants during the monitoring period.

Arrangement and Spacing

The plants shall be arranged in a pattern with the appropriate numbers, sizes, species, and distribution that are required in accordance with the approved plans. The actual placement of individual plants shall mimic natural, asymmetric vegetation patterns found on similar undisturbed sites in the area. Spacing of the plantings may be adjusted to maintain existing vegetation with the agreement of the landscape designer, wetland biologist, and/or City of Bellevue staff.

Inspection(s)

A wetland biologist shall be present on site to inspect the plants prior to planting. Minor adjustments to the original design may be required prior to and during construction.

Mulch

All landscaped areas denuded of vegetation and soil surface surrounding all planting pit areas shall receive no less than 2 to 4 inches of organic compost or certified weed free straw after planting. Compost or certified weed free straw shall be kept well away (at least 2 inches) from the trunks and stems of woody plants.

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FINAL WETLAND MITIGATION PLAN
LAKEMONT CHRISTIAN CHILDCARE
Bellevue, Washington

Calvary Chapel Eastside
Attn: Merlyn Linden
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Sheet WM-1
WRI Job # 1604
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